

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

LAYBE TORRES,

Plaintiff,

v.

No. CV 08-462 WJ/CEG

CHRIS SANCHEZ, MICHAEL VIGIL,  
DENISE SOTO, LISA SULLIVAN, and  
JOSEPH SALAZAR,

Defendants.

ORDER ADOPTING MAGISTRATE JUDGE'S  
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION

The Magistrate Judge filed her Proposed Findings and Recommended Disposition on June 24, 2009. See docket no. 26. The proposed findings notify Laybe Torres of his ability to file objections and that failure to do so waives appellate review. See id. at 12. To date, Mr. Torres has not filed any objections and there is nothing in the record indicating that the proposed findings were not delivered.

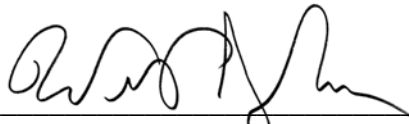
Wherefore,

IT IS HEREBY ORDERED THAT:

- 1) the Magistrate Judge's Proposed Findings and Recommended Disposition (docket no. 26) are adopted;
- 2) "Defendants' First Motion to Dismiss Plaintiff's Complaint" (docket no. 18) and Defendant Michael E. Vigil's "Motion to Dismiss Complaint" (docket no. 20) are GRANTED;
- 3) Plaintiff Laybe Torres' original complaint brought pursuant to 42 U.S.C. § 1983

(docket no. 1) is DISMISSED WITHOUT PREJUDICE; and

- 4) Civil case number 08-462 WJ/CEG is hereby closed.



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UNITED STATES DISTRICT JUDGE